



DAVID E. DE LORENZI
Director

Gibbons P.C.
One Gateway Center
Newark, New Jersey 07102-5310
Direct: (973) 596-4743 Fax: (973) 639-6235
ddelorenzi@gibbonslaw.com

May 19, 2007

VIA HAND DELIVERY

U. S. District Court
District of New Jersey
U.S.P.O. and Courthouse Bldg.
50 Walnut Street
Newark, New Jersey 07101-0999

**Re: *Novartis Corp. et al. v. Teva Pharmaceuticals USA, Inc.*,
Civil Action No.: 04-4473 (HAA)(ES)**

Your Honor:

Plaintiffs Novartis Corp., et al. ("Novartis") late yesterday became aware of a launch at risk by Teva Pharmaceuticals USA, Inc. ("Teva") of a generic version of Novartis' product Lotrel®. Teva launched this product even though a preliminary injunction motion is pending, and where only a day prior Teva represented that it did not have approval to sell the generic product. Teva's motive is clear -- to flood the market, infringe Novartis' patent and destroy its market. As detailed in the attached Memorandum of Law and supporting Declarations, this launch will cause devastating, irreparable harm to Novartis. Therefore, Novartis respectfully seeks the entry of the Temporary Restraining Order.

The pending preliminary injunction application is incorporated by reference into the Memorandum of Law for Temporary Restraints. The preliminary injunction application and accompanying papers have already been served upon this Court.


The enclosed Memorandum of Law in Support of Novartis' Application for Temporary Restraints and supporting Declarations contain confidential information. Given the urgency of the Novartis' application, there was insufficient time to prepare a Motion to Seal. Novartis respectfully requests that the enclosed materials not be filed with the Clerk of the Court until early next week when an accompanying Motion to Seal can likewise be filed.

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We thank the Court for its attention and courtesies.

Respectfully,

David E. DeLorenzi


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DED/gs

cc: Michael Patunas, Esq. (via email)
Ira Levy, Esq. (via email)
Daryl Wiesen, Esq. (via email)